

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IN RE: LETTER OF REQUEST FROM)
THE AMTSGERICHT BOCHUM,) Civ. No. 8:06CV553
(LOCAL COURT OF BOCHUM))
GERMANY)
)

ORDER

Before the Court is filing no. 1, the "Application for Order Under 28 U.S.C. § 1782" filed by the United States of America pursuant to the Convention on Taking Evidence Abroad in Civil or Commercial Matters (the "Convention"), entered into force for the United States of America on October 7, 1972, 23 U.S.T. 2555, T.I.A.S. No. 7444, reprinted following 28 U.S.C. § 1781. The Federal Republic of Germany is also a party to the Convention.

The "Application for Order Under 28 U.S.C. § 1782" states that an expert appointed by the above-captioned court in Bochum, Germany issued a Letter of Request dated December 12, 2005, seeking judicial assistance regarding the taking of a saliva sample from an individual who resides within the jurisdiction of this Court. The saliva sample relates to litigation pending in the Bochum court. 28 U.S.C. § 1782 authorizes this Court to appoint a person to render the assistance requested by the foreign tribunal, and the United States requests this Court to appoint a United States Magistrate Judge to render the requested assistance.

THEREFORE, IT IS ORDERED:

- (1) That filing no. 1, the "Application for Order Under 28 U.S.C. § 1782" filed by the United States of America, is granted; and
- (2) That the Clerk of the Court is directed to draw the name of a United States Magistrate Judge, in the ordinary course, to serve as the person appointed by this Court pursuant to 28 U.S.C. § 1782 to render the assistance requested in filing no. 1.

DATED this 24th day of August, 2006

BY THE COURT:

s/ Joseph F. Bataillon

Joseph F. Bataillon
United States District Judge